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Total Number of Pages in This Submission

Application Number

10/090,182

Filing Date

March 3, 2002

First Named Inventor

Bauer

Art Unit

1647

Examiner Name

Robert S. Landsman

Attorney Docket Number

43392-P02W2P1D1

**ENCLOSURES** (Check all that apply)

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<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
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Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Winstead Sechrest & Minick P.C.		
Signature			
Printed name	Carol M. Nielsen		
Date	January 21, 2005	Reg. No.	37,676

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01-24-05

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1647

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit: 1647  
Examiner: Robert S. Landsman  
Applicants: Bauer, et al.  
Application Number: 10/090,182  
Filed: March 3, 2002  
For: METHOD OF EX-VIVO EXPANSION  
OF HEMATOPOIETIC CELLS USING  
INTERLEUKIN-3 (IL-3) MULTIPLE  
MUTATION POLYPEPTIDES

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Date of Signature: January 21, 2005

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**RESPONSE TO OFFICE COMMUNICATION MAILED DECEMBER 21, 2004**

This is a response to the Official Communication mailed December 21, 2004 and an amended response to the Restriction Requirement mailed November 4, 2004.

Claims 27-34 are subject to a restriction requirement under 35 U.S.C. § 121. Applicant hereby elects Claims 27 and 31-34, and SEQ ID NO. 15 with traverse, for continued prosecution.

Applicant elects with traverse because simultaneous examination of the inventions does not impose an undue burden of examination on the Examiner.

If the restriction requirement is made final, applicant reserves the right to continue prosecution of non-elected groups in one or more continuing applications.

Respectfully submitted,

Date: January 21, 2005

By: *Carol M. Nielsen*  
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Reg. No. 37,676

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Attorney Docket No. 43392-P02W2P1D1